



May 21, 2018

Mr. Nicholas Noons
Rhode Island Department of Environmental Management
Office of Waste Management
235 Promenade Street
Providence, RI 02908

Subject: Public Involvement Plan Meeting – April 16, 2018
Bay Spring Realty Company
90 Bay Spring Avenue
Plat Map 2 / Lot 154
Barrington, Rhode Island
Site Rem Number: SR-01-0106

Environmental Strategies & Management, Inc. (ES&M) has prepared this response to comments and questions related to environmental restoration posed at the Public Involvement Plan Meeting on April 16, 2018 regarding the above-noted Site.

ES&M is pleased to present the following responses to questions and comments related to the environmental restoration of the Site.:

1. What does capping mean?

The term capping refers to encapsulation of existing soils with two feet of clean soil (or equivalent) to limit potential future exposure to contaminated soils. Equivalent to two feet of clean soil include, but are not limited to, the following:

- Six inches of clean soil (as sub-base) with a minimum of four inches of asphalt or concrete; or
- One foot of clean soil over an appropriate geo-fabric material.

Levels of contaminants in soil that remain on the Site exceed the applicable RIDEM Residential and/or Commercial/Industrial Direct Exposure Criteria (DEC). At this time, the lowland area of the Site is planned to be capped to prevent potential future exposure to contaminated soils.

2. Must all vegetation be removed to install a cap?

Most vegetation must be removed from the Site in order to install a cap. Variances are occasionally granted to protect the roots of certain mature trees. The Rhode Island Coastal Resources Management Council (CRMC) will also have input regarding capping and vegetation removal within portions of the Site within their jurisdiction.

3. *Will asphalt capping impact the floodplain and flood storage?*

The floodplain within a portion of the Site is a coastal floodplain. Therefore, flood storage compensation is not required. In a coastal floodplain, capping will not have an effect on ocean elevations.

4. *What is an ELUR?*

An Environmental Land Use Restriction (ELUR) is an institutional control that is filed with the RIDEM and recorded on the title to the property on which a contaminated site is situated.

An ELUR shall be implemented on this Site to manage risks associated with direct contact with Site soil, to ensure the proper handling of exposed soil in the event of future disturbance activities on the Site property, to ensure the preservation and maintenance of the cap, and to restrict development in areas of the property where volatile organic compound (VOC) contamination has been identified in groundwater, unless said development will employ appropriate vapor intrusion mitigation technologies.

5. *What is the “developable” area of the Site?*

The “developable” portion of the Site is the upland area located in the northwest corner of the parcel and outside of the 200-foot CRMC Jurisdiction setback.

6. *Is there the potential for vapor intrusion into indoor air of future buildings?*

Any future buildings will be constructed in the upland “developable” portion of the Site. The ELUR will restrict development in areas of the Site where VOC contamination has been identified.

7. *Has the State of Rhode Island funded any portion of the site investigation or remediation of the Site?*

Site investigation and remediation activities conducted on the Site have been funded by Bay Spring Realty. Bay Spring Realty has also applied for and has been awarded two Rhode Island Brownfields Grants, which will help fund site preparation and remediation activities.

8. *Do abutters have the right to have their properties monitored at the expense of Bay Spring Realty?*

Results of site investigation activities do not indicate impacts to abutting properties; as such environmental testing on abutting properties has not been deemed necessary.

9. *Why was contamination at the Site not reported until 2012?*

Initial environmental testing of the Site in 1992 predates the promulgation of the current Remediation Regulations. In 2012, environmental samples were collected, and results were compared to the applicable standards. At which point, notification was made to the RIDEM.

10. *Will asphalt capping lead to runoff of contaminants to adjoining properties?*

Currently, the Site consists of mostly pervious surfaces. Precipitation that falls on the Site is generally expected to infiltrate the subsurface and not travel via sheet flow onto adjoining properties.

As impervious surfaces such as buildings, driveways, and parking lots are constructed, runoff will be managed onsite through the construction of mitigation measures such as retention basins, rain gardens, or vegetative swales.

Sincerely,
Environmental Strategies & Management, Inc.



Evan B. Cucé
Project Manager